

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
ALAN BROWN,)	
)	
<u>Plaintiff,</u>)	
)	
v.)	Civil Action No. 12-10338-LTS
)	
ANTONIO BUSSONE, ET AL.,)	
)	
<u>Defendants.</u>)	
_____)	

ORDER ON PLAINTIFF'S MOTION
FOR ATTORNEYS' FEES AND COSTS

May 13, 2013

SOROKIN, C.M.J.

Pending is the Plaintiff Alan Brown's Motion pursuant to Fed. R. Civ. P. 54(d)(2)(B) for attorneys' fees and costs. Docket # 58. For the following reasons, his motion is ALLOWED.

On April 10, 2013, the Court allowed Brown's Motion for Partial Summary Judgment with respect to Count I of his Complaint (alleging Breach of Contract). Docket # 56. Brown thereafter voluntarily dismissed his remaining claims. Docket # 57.

On April 16, 2013, Brown filed his motion for fees and costs. Docket # 58. The Defendants have filed no opposition to his motion.

The Court has previously found that the Parties entered into a "Settlement Agreement and Release," dated December 22, 2010, and that the Defendants breached that agreement by failing to make the Second Payment required thereunder. See Docket # 56 at 3, 5. The Settlement Agreement provided that in any action to enforce the Settlement Agreement, the

prevailing party would be entitled to his reasonable attorneys' fees and costs. Id. at 4 (citing Docket # 53-4 at 16).

Counsel for Brown affirms that he has twelve years of legal experience and bills at an hourly rate of \$265.00. Docket # 58-1 at ¶ 3. His colleague has twenty years of experience and bills at an hourly rate of \$300.00. The two attorneys devoted 69.7 hours to the case, billing a total of \$14,965.50. Id. at 4-10. The only costs claimed are the filing fee of \$350.00. Docket # 58 at 2. The Court finds both that the attorneys' hourly rates are reasonable, and that the number of hours expended by them on this matter is reasonable.

Accordingly, the Plaintiff's Motion for Attorneys' Fees and Costs (Docket # 58) is ALLOWED and Brown is awarded attorneys' fees in the amount of \$14,965.50 and costs in the amount of \$350.00.

Judgment shall enter forthwith.

SO ORDERED.

/s / Leo T. Sorokin
Leo T. Sorokin
Chief United States Magistrate Judge.